

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CASE NO.: 1:25-cv-5903

ALEX PROIMOS,

Plaintiff,

v.

THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW
YORK D/B/A COLUMBIA UNIVERSITY
AND COLUMBIA ESC,

Defendant,

**COMPLAINT FOR COPYRIGHT INFRINGEMENT
(INJUNCTIVE RELIEF DEMANDED)**

Plaintiff ALEX PROIMOS by and through his undersigned counsel, brings this Complaint against Defendant THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK D/B/A COLUMBIA UNIVERSITY AND COLUMBIA ESC for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff ALEX PROIMOS (“Proimos”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. §§ 106 and 1202, to copy and distribute Proimos’s original copyrighted works of authorship after removal of his copyright management information.

2. Proimos is a professional photographer from Sydney, Australia. He has captured thousands of photographs from a multitude of countries around the world, including the United States, Cuba, Vietnam, Italy, Morocco, Peru, Uruguay, France, Chile, and Bolivia. Ranging from portraits, to landscapes, to architectural and natural marvels, Proimos has cultivated a large

collection of original and creative images which he publishes and displays on his online portfolio at <https://www.flickr.com/photos/proimos/albums/with/72157624642392363>.

3. Defendant THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK D/B/A COLUMBIA UNIVERSITY AND COLUMBIA ESC (“Defendant”) is a private Ivy League university in New York City with a tuition fee of \$71,170 USD per year.

4. Proimos alleges that Defendant copied his copyrighted works from the internet in order to advertise, market and promote Defendant’s business activities.

JURISDICTION AND VENUE

5. This is an action arising under the Copyright Act, 17 U.S.C. §§ 501 and 1202.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Defendant is subject to personal jurisdiction in New York.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Defendant engaged in infringement in this district, Defendant resides in this district, and Defendant is subject to personal jurisdiction in this district.

DEFENDANT

9. Defendant is a private university in New York City, with its principal place of business at 535 West 116th Street, New York, NY 10027, and can be served by serving its Office of the General Counsel at 535 West 116th Street, New York, NY 10027.

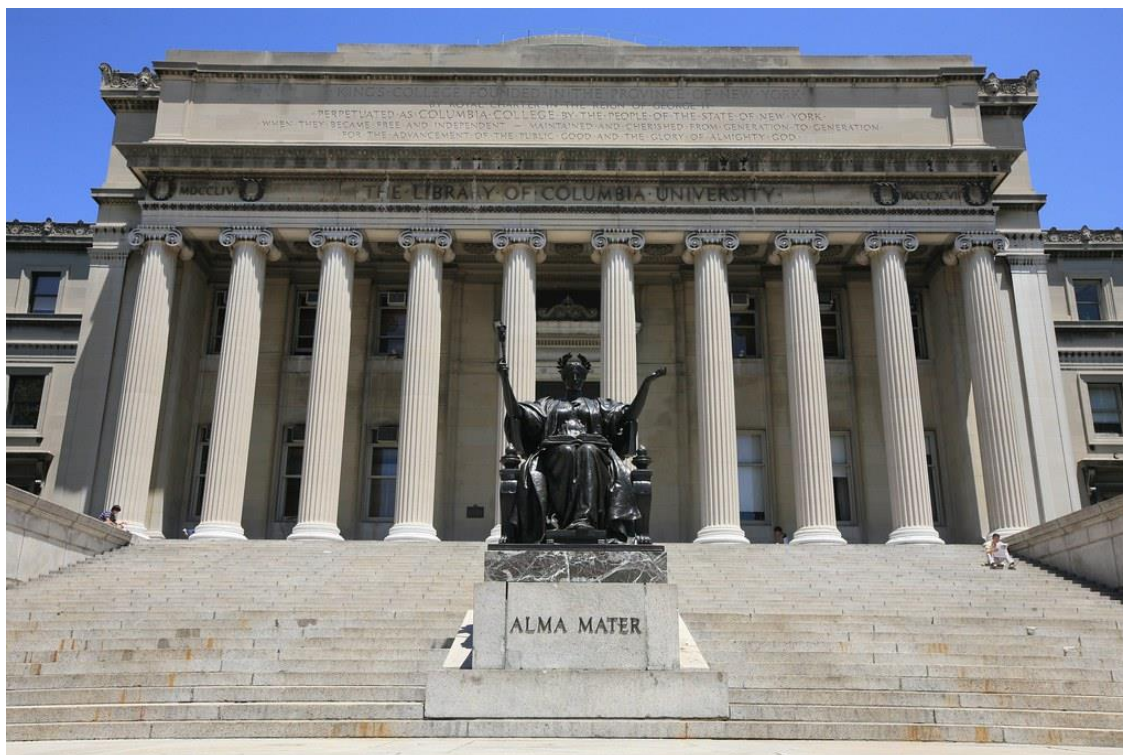
THE COPYRIGHTED WORKS AT ISSUE

10. In 2011, Proimos created the copyrighted images titled “Outside Columbia University Library” and “Alma Mater and the Library of Columbia University” shown below and in **Exhibit 1** attached hereto (“Works”).

“Outside Columbia University Library”



“Alma Mater and the Library of Columbia University”



11. On December 20, 2019, the Works was registered as part of a group of 84 photographs under the registration number VA 2-183-745. A true and accurate copy of the Certificate of Registration is attached hereto as **Exhibit 2**.

12. At the time Proimos published the Works on his website at <https://www.flickr.com/photos/34120957@N04/5892425145> and <https://www.flickr.com/photos/34120957@N04/5892392091> (collectively, “Online Portfolio”) and at all times thereafter, Proimos offered usage and licensing rights information to the public on the Online Portfolio.

13. At the time he published the Works on the Online Portfolio and at all times thereafter, Proimos offered usage rights to the public through the Creative Commons CC BY-NC 2.0 License (the “CC License”), which allows the public to share and adapt the Work for non-commercial use provided that appropriate attribution was made, including appropriate credit to Proimos, a link to the license, and a statement of whether any changes were made to the Works.¹

14. Prior to the time Proimos published the Works, Proimos applied copyright management information (“CMI”) to the Works consisting of (1) Proimos’s name in the top right alongside the Works, which qualifies as CMI under 17 U.S.C. § 1202(c); and (2) the link to the licensing terms located on the bottom of the Online Portfolio.

15. Proimos’s Works are protected by copyright but are not otherwise confidential, proprietary, or trade secrets. The perspective, orientation, positioning, lighting, and other details of the Works are entirely original and creative. As such, the Works qualify as subject matter protectable under the Copyright Act.

16. At all relevant times Proimos was the owner of the copyrighted Works.

¹ <https://creativecommons.org/licenses/by-nc/2.0/>

INFRINGEMENT BY DEFENDANT

17. Defendant has never been licensed to use the Works for any purpose.

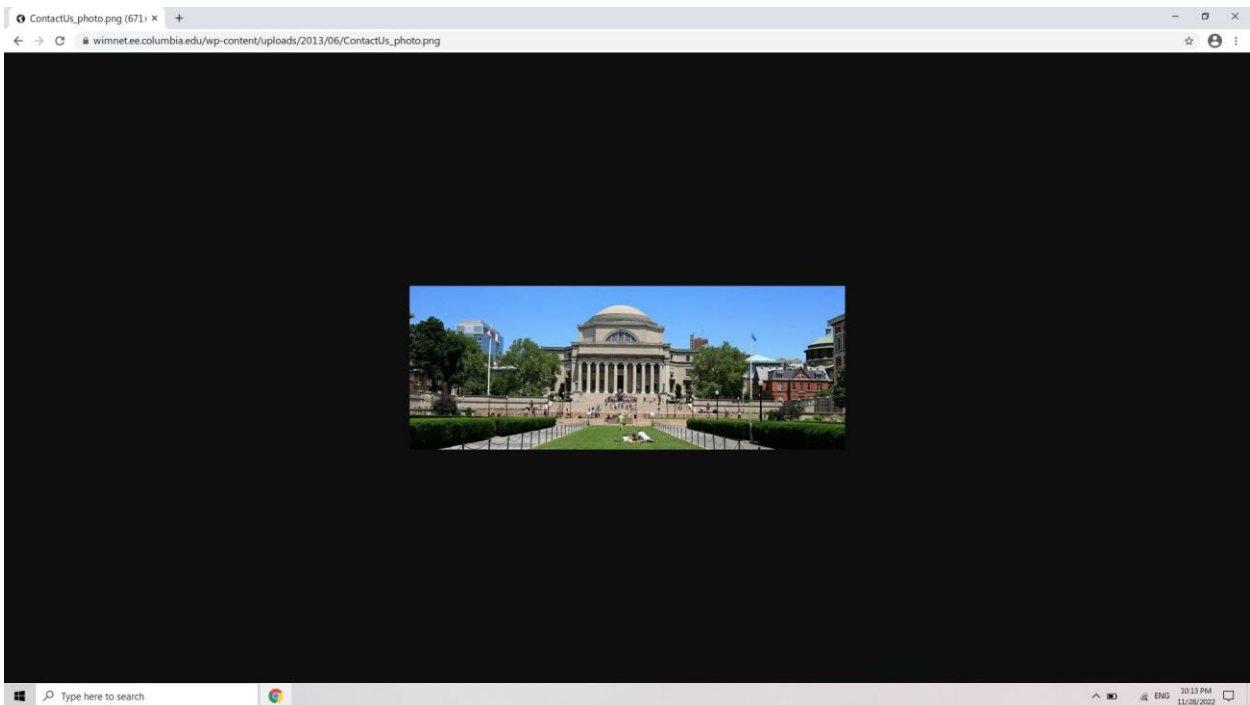
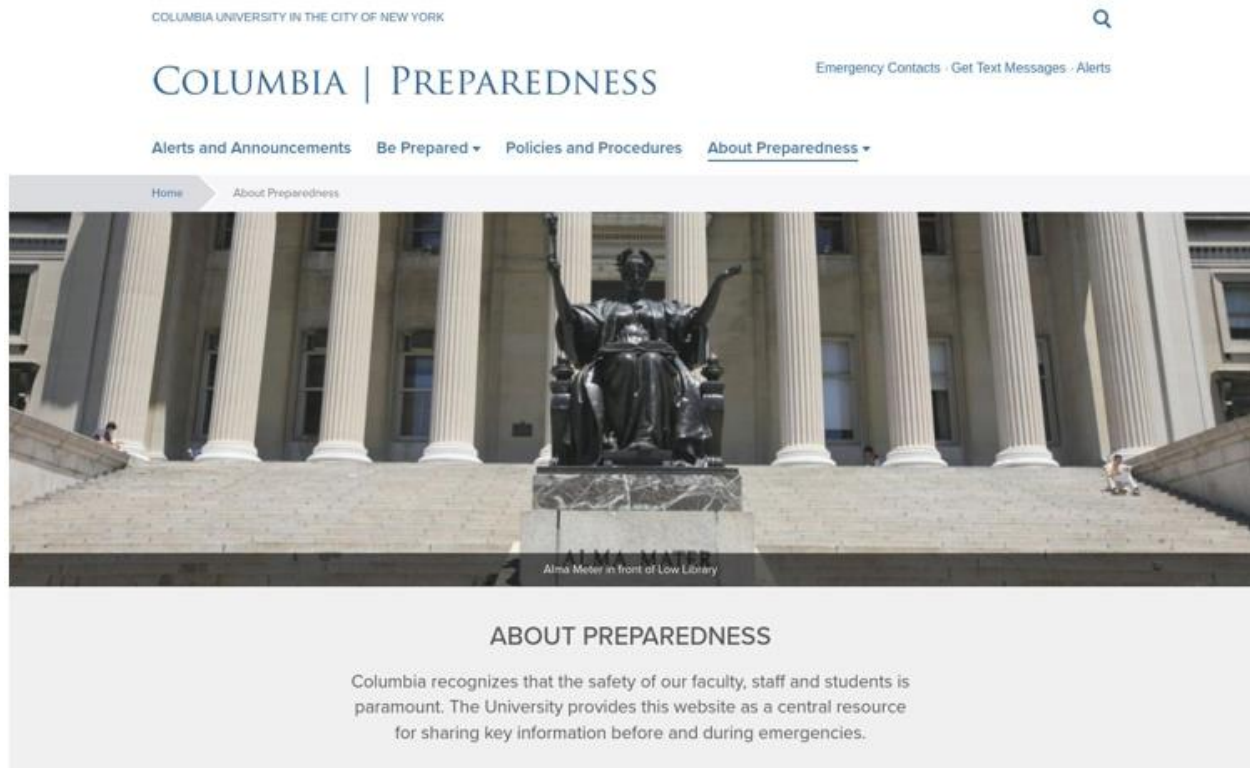
18. On a date after the Works were created, but prior to the filing of this action, Defendant copied and utilized the Works without seeking a license or permission, and copied, displayed, and distributed Proimos's Works through Defendant's commercial websites for its clients at the following URLs ("Commercial Websites"):

- <https://wimnet.ee.columbia.edu/contact/directions/>,
- <https://preparedness.columbia.edu/content/about>,
- <https://esc.studentgroups.columbia.edu/content/finance-0>, and
- <https://business.columbia.edu/apec>

19. On or about November 28, 2022, Proimos discovered the unauthorized use of his Works on the Commercial Websites.

20. Defendant copied and displayed Proimos's Works without CMI or proper attribution on the Commercial Websites shown below and in **Exhibit 3** attached hereto.

Defendant's Infringement



21. Defendant copied Proimos's copyrighted Works without Proimos's permission.

22. After Defendant copied the Works, Defendant made further copies and distributed the Works on the internet to promote Defendant's educational services.

23. Defendant copied and distributed Proimos's copyrighted Works in connection with Defendant's business for purposes of advertising and promoting Defendant's business.

24. Proimos never gave Defendant permission or authority to copy, distribute or display the Works for any purpose.

25. When Defendant copied and displayed the Works, Defendants removed Proimos's CMI from the Works.

26. Proimos never gave Defendant permission or authority to remove CMI from the Works.

27. Proimos notified Defendants of the allegations set forth herein on January 30, 2025, March 4, 2025, May 5, 2025, and July 7, 2025. As of the date of this filing, the parties have failed to resolve the matter.

COUNT I
COPYRIGHT INFRINGEMENT

28. Proimos incorporates the allegations of paragraphs 1 through 28 of this Complaint as if fully set forth herein.

29. Proimos owns a valid copyright in the Works.

30. Proimos registered the Works with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

31. Defendant copied, displayed, and distributed the Works and made derivatives of the Works without Proimos's authorization in violation of 17 U.S.C. § 501.

32. Defendant performed the acts alleged in the course and scope of Defendant's business activities.

33. Defendant's acts were willful.

34. Proimos has been damaged.

35. The harm caused to Proimos has been irreparable.

COUNT II

REMOVAL OF COPYRIGHT MANAGEMENT INFORMATION

36. Proimos incorporates the allegations of paragraphs 1 through 28 of this Complaint as if fully set forth herein.

37. The Works contain CMI alongside the Works on the Online Portfolio.

38. Defendant knowingly and with the intent to enable, conceal, or facilitate copyright infringement, displayed the Works on Defendant's Commercial Websites without any of the CMI in violation of 17 U.S.C. § 1202(b).

39. Defendant distributed the Works knowing that the CMI has been removed or altered without authority of the copyright owner or the law.

40. Defendant committed these acts knowing or having reasonable grounds to know that they would induce, enable, facilitate or conceal infringement of Proimos's rights in the Works.

41. Defendant caused, directed and authorized others to commit these acts knowing or having reasonable grounds to know that it will induce, enable, facilitate or conceal infringement of Proimos's rights in the Works.

42. Proimos has been damaged.

43. The harm caused to Proimos has been irreparable.

WHEREFORE, Plaintiff ALEX PROIMOS prays for judgment against Defendant THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK D/B/A COLUMBIA UNIVERSITY AND COLUMBIA ESC that:

- a. Defendant and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. §§ 501 and 1202;
- b. Defendant be required to pay Proimos his actual damages and Defendant's profits attributable to the infringement, or, at Proimos's election, statutory damages, as provided in 17 U.S.C. §§ 504 and 1203;
- c. Proimos be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;
- d. Proimos be awarded pre- and post-judgment interest; and
- e. Proimos be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Proimos hereby demands a trial by jury of all issues so triable.

DATED: July 18, 2025

Respectfully submitted,

/s/ Joseph A. Dunne

JOSEPH A. DUNNE

New York Bar Number: 4831277

joseph.dunne@sriplaw.com

DEBBIE C. YANG

New York Bar Number: 6087050

debbie.yang@sriplaw.com

REBECCA A. KORNHAUSER

New York Bar Number: 6174387

rebecca.kornhauser@sriplaw.com

SRIPLAW, P.A.

41 Madison Avenue, Floor 25
New York, NY 10010
646.787.1082 – Telephone
561.404.4353 – Facsimile

Counsel for Plaintiff Alex Proimos